

**STATE HISTORICAL RESOURCES COMMISSION
DEPARTMENT OF PARKS AND RECREATION**

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FERNANDO GUERRA, Ph.D.
RICK MOSS
CAROL L. NOVEY
JULIANNE POLANCO
RICHARD SHEK, Ph.D.
MILFORD WAYNE DONALDSON, FAIA
.....Executive Secretary

Quarterly Meeting
of the
STATE HISTORICAL RESOURCES COMMISSION

State Resources Building
Auditorium, First Floor
1416 9th Street
Sacramento, California 95814

May 5, 2006

DRAFT MINUTES

COMMISSIONERS PRESENT

Luis Hoyos, AIA, Chairperson, Historic Architecture Member
Claire Bogaard, Vice Chairperson, Public Member
Trish Fernandez, M.A., Historic Archaeology Member
Donn Grenda, Ph.D., Prehistoric Archaeology Member
Fernando Guerra, Ph.D.*, Folk Life Member
Rick Moss, Historian Member
Carol L. Novey, Public Member
Julianne Polanco, Architectural History Member
Richard Shek, Ph.D., Ethnic History Member

STAFF PRESENT

Milford Wayne Donaldson, FAIA, SHPO, Executive Secretary
Stephen Mikesell, Deputy SHPO
Susan K. Stratton, Ph.D., Senior State Archaeologist
Camille Valencia, Recording Secretary
Cynthia Howse, Staff Historian
Patricia Ambacher, Staff Historian
Dwight Dutschke, Associate Park & Recreation Specialist
Diane Thompson, Staff Assistant
Tara Todd, Staff Counsel

* Commissioner Guerra left at 1:15 p.m.

I. CALL TO ORDER

Legal notice having been duly given, the State Historical Resources Commission meeting was called to order at 9:02 a.m. by Chairperson Hoyos. Those assembled recited the Pledge of Allegiance.

II. INTRODUCTION OF COMMISSIONERS AND STAFF

Commission members introduced themselves and Wayne Donaldson, State Historic Preservation Officer, (SHPO), introduced Office of Historic Preservation (OHP) staff. He also introduced a number of current and former staff members in the audience: Steade Craigo, Supervisor of the Main Street Program, Susan Stratton, Supervisor of the Project Review Unit, Tim Brandt, Supervisor of the Architectural Review Unit, and Gene Itogawa, former Supervisor of the Registration Unit.

III. WELCOME

Chief Deputy Director Paul Romero of California State Parks welcomed the Commission.

IV. APPROVAL OF MINUTES OF FEBRUARY 3, 2006

Commissioner Polanco noted a correction to pages 2 and 7, which omitted her name as part of the Cultural Resources of the Modern Age Committee. In addition, Commissioner Fernandez said that the Archeological Resources/Information Center Procedural Advisory Committee had been omitted from the same pages.

Action: Commissioner Fernandez moved to approve the minutes as corrected. Commissioner Polanco seconded the motion. Motion carried unanimously.

V. COMMISSION AND STAFF REPORTS

A. CHAIRPERSON'S REPORT

Chairperson Hoyos previewed properties to be considered on the Consent and Discussion Calendars. He said the Commission's subcommittees had met for the first time on Thursday. He also remarked that if members of the audience had not visited the OHP website, they were missing out on a very interesting and informative site.

B. EXECUTIVE SECRETARY'S REPORT

SHPO Donaldson reported that he had attended the National Council of State Historic Preservation Officers meeting in Washington, D.C. the first week in March. At it, they discussed the 50 year requirement for nomination of historic resources as well as the living architect issue (as a policy, the work of living architects has not so far been

eligible for designation to the National Register). He noted that as regards Tax Act properties, last year the California OHP Tax Incentive Unit saw 66 projects through to certification. This year, the Unit is already working on 90 projects that will ultimately be sent to the National Park Service. The increase in numbers can be attributed to the many military base closures. SHPO Donaldson also reported that he had received an email from someone in Moscow asking about the National Historic Landmark process. He reminded us that many National Historic Landmarks in California are sites associated with the space program.

SHPO Donaldson stated the Advisory Council for Historic Preservation (ACHP) is being restructured due to the closure of its Denver office. SHPO Donaldson said he would attend a teleconference given by the ACHP in June.

Another achievement cited by SHPO Donaldson was the signing of OHP's first Memorandum of Understanding with the Yurok Tribe, which gives the tribe more control over their reservation land and the projects proposed for them. OHP has participated in two Tribal Summits, the last in Palm Springs hosted by the Agua Caliente Band. There are now nine Tribal Historic Preservation Officers, the most in the nation.

SHPO Donaldson reported that the office had signed off on levee sites needing emergency repair. This project, which carried a May 15 deadline, was completed on May 4 thanks to Dwight Dutschke's leadership. Finally, SHPO Donaldson reported that he had just learned that Elk Grove had been named California's 6th Preserve America community.

VI. RESOLUTIONS

- A. **Cathedral of the Blessed Sacrament, Sacramento.** The resolution was accepted by Rector James Murphy. (Attached)
- B. **Folsom Powerhouse State Historic Park.** The resolution was accepted by Scott Nakaji, Superintendent of the Gold Fields District, Michael Gross, Superintendent of the Folsom Sector, and Jay Jensen, President of Friends of the Folsom Powerhouse Association. (Attached)
- C. **Historic State Capitol Commission.** Accepting the resolution were Koren Benoit, Executive Director of the Commission and Eric Nelson, Chair of the Historic State Capitol Commission. (Attached)

VII. CLOSED SESSION OF THE COMMISSION

- A. Pending Litigation: California Register of Historical Resources – Lincoln Place Apartments, Venice, California.

Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would prejudice the position of the Commission. [Government Code §11126(e) (1) & (e)(2)(A)].

Amanda M. Seward v. State Historic Preservation Officer Milford Wayne Donaldson, et al., Sacramento Superior Court Case Number 05CS00662.

AIMCO Venezia, LLC, v. State of California, State Historical Resources Commission, et al., Los Angeles Superior Court Case No. BS 099 726.

VIII. POWERPOINT PRESENTATION OF ALL NOMINATED PROPERTIES

Cynthia Howse, Patricia Ambacher, and Susan Stratton presented a PowerPoint presentation of all properties nominated to the National Register and California Register.

IX. CONSENT CALENDAR

A. NATIONAL REGISTER OF HISTORIC PLACES

Ladies' Relief Society Children's Home

Oakland, Alameda County
Local Level of Significance

MacFarland, Frank M., House

Stanford, Santa Clara County
State Level of Significance

Napa Creek Bridge 21C-44

Napa, Napa County
Local Level of Significance

Old Fair Oaks Bridge

Fair Oaks, Sacramento County
Local Level of Significance

Southern Pacific Train Depot

Santa Barbara, Santa Barbara County
Local Level of Significance

Subway Terminal Building

Los Angeles, Los Angeles County
Local Level of Significance

B. CALIFORNIA REGISTER OF HISTORICAL RESOURCES

Harvey-Baker House

Salinas, Monterey County

Action: Commissioner Novey moved and Commissioner Bogaard seconded the motion to approve the nominations included in the Consent Calendar. Motion unanimously carried.

Public Comment

Lou Lazarine, of the City of Santa Barbara, thanked the Commission for approving their nominated property, the Southern Pacific Train Depot. He said

that Santa Barbara purchased it in 1995 and had completely restored the 1905 Mission Revival building.

Stephen C. Baker, President of the Board of Directors of the Harvey-Baker House in Salinas, also thanked the Commission for their action in approving the listing of the house on the California Register. He commented that it was the only house on the Consent Calendar that is open to the public.

Jeff Norman spoke in support of the nomination of the Ladies' Relief Society Children's Home in Oakland. He thanked OHP staff for their help in refining the nomination and making it stronger.

X. DISCUSSION & ACTION ITEMS

A. NATIONAL REGISTER OF HISTORIC PLACES

Before the properties on the Discussion and Action were heard, Chairperson Hoyos first asked fellow commissioners if they wanted to recuse themselves regarding Rattlesnake Island. He then told interested parties that each side would be limited to twenty minutes to present its position, followed by five minutes for each side to rebut the other's statements.

Rattlesnake Island, Lake County

Susan Stratton, Senior State Archaeologist, presented the staff report, which recommended determination of eligibility at the local level with period of significance prehistoric to 1872 under criterion D. She added that Dwight Dutschke was present if the Commissioners had questions.

Proponents

Dr. John Parker presented the case for listing Rattlesnake Island on the National Register, adding that the tribe most closely associated with the island was the Southeastern Pomo, which had an island-based culture. He said he had done twenty years of research on the Island and the people who lived there for his doctoral thesis.

Ray Brown, Chairman of the Elem Indian Colony, voiced his desire that the island not be thrown open to development.

Jim Brown III, Tribal Administrator, spoke in support.

Steve Archer, Planning Director of the Intertribal Council of California, read a letter of support from Connie Wrightman Salas, Director of the Intertribal Council.

Kristina Rivera, member of the Chumash Tribe in Santa Barbara County, spoke in support of the nomination.

Tim Rivera, Cultural Resource Monitor of the Middletown Rancheria, spoke in support of the nomination.

George De Ocampo, a member of the Vallejo Intertribal Council, also spoke in support, adding that of the 349 treaties signed by the United States government, all had been broken by that government. Burial sites are being desecrated. A positive decision from the Commission would assist those whose ancestors are buried on Rattlesnake Island.

Opponents

John Nady, owner of record, spoke in opposition to the nomination. Only one site on the island has been excavated. There is no evidence that there are sacred burial site anywhere on the island. He protested that the staff report did not address any of the issues raised in opposition by his counsel. No ceremonies have been held on the island since the 1970s.

Frederic Schrag, legal counsel for Mr. Nady, laid out the case in opposition to the nomination. He discussed boundaries for the district and whether the archaeology on the island is archaeologically important. He asserted that the whole island should not qualify as a district.

Proponent Rebuttal

Dr. Parker pointed out that Mr. Schrag is not an archaeologist and not the Keeper of the National Register.

Opponent Rebuttal

Mr. Schrag spoke in rebuttal for the owner of the property.

Commissioner Comments

Commissioner Grenda opened the discussion by saying there were relatively minor errors in fact in the nomination, but there are no critical flaws. Generally, he would suggest that the applicant work with OHP staff on issues such as the boundaries and to resolve other minor errors. Commissioner Grenda suggested the boundary be the island itself and the period of significance clarified.

Commissioner Bogaard asked if issues are minor, can the Commission approve the nomination, then leave it to staff to clear up the errors before sending the nomination off to the Keeper of the National Register.

Chairperson Hoyos asked Commissioner Grenda whether the technical deficiencies are minor enough to make the nomination as a whole viable or not. SHPO Donaldson commented that if the boundaries of the nomination change, the nomination must be brought back before the Commission for another hearing before being forwarded to the Keeper. Changes to boundaries are considered a substantial change in the nomination.

Commissioner Grenda suggested that some questions of ownership should be eliminated from the nomination.

Commissioner Fernandez commented that the living culture information is not relevant under Criterion D, and that another relevant issue is that of the period of significance.

Chairperson Hoyos asked Commissioner Fernandez if she thought it should be returned to applicant for further clarification. Commissioner Fernandez answered that yes, she believed the nomination should be returned to applicant.

The Chair then asked if Criterion D was proven in the nomination. Commissioners Fernandez and Grenda said that they felt that Criterion D was clearly supported in the nomination.

Commissioner Polanco questioned what were contributing resources and the boundaries.

As he began to make a motion, Commissioner Grenda asked what a substantial change would be. SHPO Donaldson answered that a change of the dates of significance or the boundaries would be substantial enough to warrant another hearing by the Commission.

Commissioner Fernandez said she would recommend that other sites be discussed.

Chairperson Hoyos commented that, on balance, he agreed with staff that the island holds substantial archaeological resources and would vote for eligibility. As for the boundaries, he believed that the rectangle that extended out into the water was rational.

Commissioner Bogaard agreed with Chairperson Hoyos' comments, felt that the staff provided them a strong report, and said she would support forwarding the nomination.

Commissioner Fernandez asked Dr. Parker why the boundaries extended beyond the island. Dr. Parker clarified that the UTM coordinates defined a rectangle that encompassed the entire island, but that the verbal description stated that the island formed the boundaries of the property.

Mr. Schrag argued that boundaries are not limited to the island itself. He confirmed that he and Mr. Nady agree that site CA-LAK-89 has important archaeological significance.

Commissioner Shek asked if the nomination can go forward if the changes necessary are substantial. Commissioners Grenda and Fernandez both responded that they did not believe the remaining issues were significant.

Staff Archaeologist Stratton said that using UTM coordinates is typical as a means of delineating site boundaries. Research indicated that lake levels fluctuated in the past, but the extent of the fluctuating lake levels was not known.

Commissioner Fernandez said she did not believe that the nomination substantiated the period of significance as “unknown time to the present.” Staff Historian Howse said that staff recommended using 1872, with which commissioners agreed. Commissioner Grenda commented that the early date was not important.

Chairperson Hoyos asked that any motion incorporate staff suggestions.

SHPO Donaldson said that if staff and Commissioners supported the 1872 date, perhaps they should get Dr. Parker’s agreement. Dr. Parker said he found the date acceptable.

Action: Commissioner Grenda moved that the nomination be forwarded with the recommendations included in the staff report to the Keeper of the National Register for determination of eligibility under Criterion D at the Local Level of Significance. Commissioner Novey seconded the motion. The motion was unanimously carried.

Santa Anita Park, Arcadia, Los Angeles County

Chairperson Hoyos asked if any commissioners wanted to recuse themselves from the discussion and vote on this nomination; there were none. He said he had visited the site with OHP staff and had had two conversations with the applicant. Commissioner Bogaard said that she had also visited the site.

Staff Historian Howse presented an abbreviated staff report, noting the property comprises 304 acres and was being nominated under Criterion A at the State Level of Significance. There had been numerous changes to the parking lots over the years and staff recommended deleting the parking lots from the resource count, but not from the boundaries and forwarding the nomination to the Keeper.

Chairperson Hoyos reminded applicant and opponent of the time limits in presenting their cases and rebutting each other’s comments.

Proponents

Christy J. McAvoy stated that Santa Anita in 2000 was 1 of America’s 11 Most Endangered Places as identified by the National Trust for Historic Preservation.

Greg King, spoke as a private citizen and former resident of Arcadia and not as a representative of Caltrans. He noted that horse racing is the “Sport of Kings,” and spoke in favor of the nomination.

Linda Dishman, the Executive Director of the Los Angeles Conservancy, spoke in favor of the property.

Jan Chatten-Brown, of Arcadia First, spoke in favor of the nomination.

Ms. McAvoy said in the interest of time, her side would not use the full twenty minutes, but added that Gene Itogawa was present and could answer any questions commissioners may have had about the internment period of Santa Anita’s life. George Sakai, Bill Sugaya, first director of the Western Regional Office, and Naomi Hirahara, author of mysteries in which Santa Anita figures, could not be present but were strongly behind the nomination.

Opponents

In Vice President Frank DeMarco’s absence, **Brian Cornelius**, Vice President, Development, Caruso Affiliated, spoke in opposition to the nomination.

Applicant’s Rebuttal: **Ms. McAvoy** said that the development is not part of the nomination.

Opponent Rebuttal: **Mr. Cornelius** said the boundaries are gerrymandered.

Commissioner Comments

Commissioner Novey asked if the parking lots are included in the nomination. Staff Historian Howse responded the parking lots are included in the nomination.

Commissioner Polanco asked if the Japanese assembly center was included in the nomination. Historian Howse said that area was included in the boundary.

Ms. McAvoy directed commissioners’ attention to Exhibit F, the Japanese American Internment Camp.

Commissioner Polanco commented that the modifications are post period of significance for the record.

Commissioner Grenda asked why archaeology was not included in the nomination. **Ms. McAvoy** answered that she does not have any expertise in that area.

Commissioner Grenda stated this was a failing in the application.

Ms. McAvoy said they did not include Criterion D because she was not an expert in that but she agreed with his comment and reiterated that there were built resources from the internment camp period there.

Action: Commissioner Novey moved and Commissioner Bogaard seconded the motion that the Commission determine Santa Anita Park eligible for listing in the National Register of Historic Places with staff recommendations deleting the parking lots from the resource count under Criterion A at the National Level of significance and forward the nomination to the Keeper. The vote was Chairperson Hoyos, Commissioners Bogaard, Novey and Polanco in favor, Commissioners Grenda, Fernandez, and Moss against, with Commissioner Shek abstaining. The motion passed.

B. PROGRESS REPORT

The following nominations have been placed on the National Register of Historic Places. The National Park Service Notice of Listings identifying these nominations has been received by the Office of Historic Preservation since the last regular meeting of the Commission. *These properties also have been placed on the California Register of Historical Resources.*

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| Palace of Fine Arts , San Francisco, San Francisco Co. | 12/05/05 |
| U.S. Court House & Post Office , Los Angeles, Los Angeles Co. | 2/06/06 |
| Tule Lake Segregation Center , (NHL) Newell, Modoc Co. | 2/17/06 |
| Hutton, Warner, House , Saratoga, Santa Clara Co. | 3/17/06 |
| Walnut Street School , Woodland, Yolo Co. | 3/20/06 |
| Carly, J.C., House , Sacramento, Sacramento Co. | 3/22/06 |
| Pleasants Ranch , Vacaville vicinity, Solano Co. | 4/07/06 |

C. CALIFORNIA REGISTER OF HISTORICAL RESOURCES

Lincoln Place Apartments Venice, Los Angeles County

Chairperson Hoyos first asked if any commissioner wished to recuse him or herself regarding this application. There was no response.

Commissioners Polanco, Fernandez, and Grenda stated for the record they had spoken to Karen Scarborough, Deputy Secretary, Resources Agency and that Commissioner Fernandez had spoken to Susan McCabe and Commissioners Grenda and Polanco had spoken to Attorney Bill Delvac regarding the Application.

Chairperson Hoyos stated that in his prior recusals from discussions both at the Commission and at the Los Angeles Conservancy, he had acted to protect the Commission, the Conservancy and the process. Noting that he was far removed from leadership positions at the Conservancy having to do with Lincoln Place, he

said he had recused himself in the past because of the potential for the appearance of bias. Commissioner Hoyos stated he could hear the nomination and arrive at an independent, reasoned, and unbiased conclusion and therefore he would participate in the discussion and vote. He noted that the Commission was to treat the information presented in this application de novo.

Staff Counsel Todd read commissioners a chronology of the events leading up to the current rehearing of the nomination.

Staff Historian Howse read the staff report, which recommended determining the property eligible for the California Register under Criteria 1 and 3.

Chairperson Hoyos reminded the opposing groups that usual time limitations were in place: twenty minutes for each side and an additional five minutes each for rebuttal.

Proponents

Amanda Seward, the applicant and a private citizen, spoke in favor of listing, saying that what made Lincoln Place Apartments special was the way it humanized living space. Created by a multi-cultural team, it adapted the Garden City principles set forth in England to the Los Angeles environment. Ralph Vaughn's experience as a set designer stood him in good stead as he created these unique living spaces, Ms. Seward also stated. Ms. Seward also stated the apartments are also significant in social history, providing low and moderate income housing for those moving to the area after World War II. Though she makes no claim to be an expert, she also relied on a survey done by Christy McAvoy of garden apartments in Los Angeles, which included Lincoln Place.

Linda Dishman, of the Los Angeles Conservancy, directed the Commission's attention to letters submitted by the applicant from Bob Winter and Alan Hess. She added that the Conservancy has supported Lincoln Place for four years.

Christy McAvoy, principal of Historic Resources Group, said that as an architectural historian she had gathered much of the contextual information for this nomination on the garden apartments of Los Angeles.

Opponents:

Bill Delvac, attorney for AIMCO Venezia, owners of Lincoln Place Apartments, presented the opposing view. He protested Chairperson Hoyos' decision not to recuse himself. He said he believed the staff report did not present and consider the evidence fairly. He asked Commissioners if they were satisfied that questions raised by the Keeper of the National Register had been answered, and asked that they carefully review all facts presented.

Dr. Margaret Wuellner, a senior architectural historian for EDAW's Los Angeles office, gave a short presentation outlining her opposition to the nomination.

Patti Shwayder, a senior vice president for AIMCO Venezia, spoke against the nomination. She said that her company has agreed to mediation and has been trying to resolve the issues in ongoing negotiations.

Each side presented brief rebuttals of their opponents' statements. Mr. Delvac added that "when everything is eligible, nothing is significant." He added that he did not believe that designation would save the resource. Chairperson Hoyos responded that the Commission had done its best to consider all the available evidence.

Action: Commissioner Bogaard thanked staff for providing such a volume of materials in a timely manner. She then moved that the Commission adopt the draft findings to determine Lincoln Place eligible for listing in the California Register under Criteria 1 and 3. Chairperson Hoyos read the draft findings. Commissioner Novey seconded the motion.

Commissioner Grenda stated he had doubts after reading the EDAW report.

Commissioner Novey asked Attorney Delvac what would happen if the Commission voted to find the property eligible for listing. He said that the Environmental Impact Report would be done and some or all of Lincoln Place would probably be demolished. If, on the other hand, it were not found eligible, the parties would continue to seek a mutually-agreeable solution through mediation.

Commissioner Fernandez talked about extenuating circumstances and asked for the applicant to be heard. Ms. Seward said she does not agree that designation should guarantee compromise.

Commissioner Shek stated Mr. Delvac made a valid point about the staff evaluation.

The Vote: Commissioner Bogaard called for a vote. Commissioners Shek, Novey, Hoyos, Bogaard, and Moss voted for the motion. Commissioner Grenda voted no. Commissioners Polanco and Fernandez abstained. The motion carried.

XI. PUBLIC COMMENTS

There were no public comments during this meeting.

XII. ACTION AND DISCUSSION ITEM

Commissioners briefly discussed and agreed to adopt a change in their posted schedule to hold the next regularly-scheduled meeting of the State Historical Resources Commission in Santa Monica.

XIII. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Milford Wayne Donaldson, FAIA
Executive Secretary

DATED _____